

Please add the following new claims:

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-- 116. A solid gas generating composition according to claim 1, wherein ~~in~~ ^{contains} said compositions ~~contains~~ from 48.5% to less than 100% of said complex, and said composition contains a release agent.

-- 117. A solid gas generating composition according to claim 85, wherein when said composition combusts, the combustion takes place at a rate and a temperature sufficient to ~~qualify~~ ^{qualify} said composition for use as a gas generating composition to generate gas suitable for use in deploying said air bag or said balloons.--

REMARKS

Reconsideration and allowance is respectfully requested.

Amended claim 1 finds support in the specification throughout.

The Examiner's comments relative to the prior restriction requirement and the response thereto are noted. The Examiner's citation to MPEP 806.04(e) is not well taken. It does not support the Examiner's personal views as expressed in the Office Action.

The elected claims should, it would seem, include the claims that depend directly or indirectly from claim 85. The elected claims showed therefore include claims 92-113.

There is no explanation in the Office Action for excluding claim 102 from being examined on the merits. This claim is clearly novel over the cited art, and the references would not have suggested this claimed invention to a person of ordinary skill in the art.

Claim 1 relates to the recited solid composition. It is prepared from ingredients selected so that the resultant composition is adapted to be combusted to generate gas for deploying an air bag or balloon from a supplemental system restraint system. The gas

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generant ingredients are combined such that when the composition combusts, nitrogen gas and water vapor are produced.

The cited references do not teach, disclose or suggest a solid gas generating composition as claimed. There is no suggestion of compositions formulated (prepared, made) so as to be combusted so as to generant gases suitable for deploying an air bag or balloon.

The Rausch reference concerns a thermite composition with powdered metal (powdered aluminum). See e.g., col. 2. It would be ludicrous to say that such a composition is the same as or suggestive of the solid gas generating compositions claimed herein. The flame temperature alone would be prohibitive the significant solid combustion residue would mean less gas generation. As the Examiner can appreciate, a composition designed for extra ordinarily high temperatures for an obvious military (warfare) application is in a traditional thermite pyrotechnic may generant unacceptably high temperatures. The combustion of the gas generant takes place at a rate sufficient to qualify such materials for use as gas generating compositions in automobile air bags.

The Hammel et al. reference purports to teach phase-stabilizing ammonium nitrate. The phase-stabilization disclosed does not, describe or suggest the solid gas generating composition herein.

The Cook et al reference teaches an ammonium nitrate composition, in which the ammonium nitrate should be present as the preponderant ingredient, that is in an amount greater than 50%, Preferably, the composition will contain more than 75% ammonium nitrate. This composition would not be seen as a solid gas generating composition for use in deploying an air bag.

The Christmann et al. reference refers to a method of filling aquiferous bore holes with a powdered ammonium nitrate explosive. The reference discloses that 60 to 98 percent of the

explosive is ammonium nitrate. The described composition is not applicant's claimed solid gas generating composition.

It should be pointed out that the references do not teach/disclosure ammine nitrate oxidizers.

It is respectfully submitted that the alternative obviousness rejection should be reconsidered and withdrawn. The references are over-stated in the Office Action. The Christmann et al, Cook et al and Hammel et al. et al references do not teach "compositions of metal nitrate amines". (emphasis added). The Hammel et al. et al reference concerns "[p]articulate ammonium nitrate", the Cook reference concerns "ammonium nitrate explosive compositions" and the Christmann et al reference refers to a powdered ammonium nitrate composition in a method of filtering aquiferous bore holes. There is no suggestion of a solid gas generating composition's as described in and as claimed herein.

The obviousness double patenting rejection is noted. It is premature as the Examiner has not indicated allowance of any other claims. It is respectfully suggested that both Applicant and the Examiner can resolve this expeditiously upon indication of allowable subject mater.

Respectfully submitted,

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